



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
PLANNING DEPARTMENT

MINUTES

CITY OF THE DALLES PLANNING COMMISSION

CITY HALL COUNCIL CHAMBERS

313 COURT SREET

THE DALLES, OREGON 97058

CONDUCTED IN A MEETING ROOM IN COMPLIANCE WITH ADA STANDARDS

THURSDAY, MARCH 15, 2018

6:00 P.M.

CALL TO ORDER

Chair Lavier called the meeting to order at 6:00 p.m.

ROLL CALL

Commissioners Present: Sherry DuFault, Bruce Lavier, John Nelson, Mark Poppoff, Steve Ross, Jeff Stiles

Commissioners Absent:

Staff Present: Planning Director Steve Harris, Senior Planner Dawn Hert and Planner Garrett McAllister

Public in Attendance: Nine

APPROVAL OF AGENDA

It was suggested that Item VIII. Quasi-Judicial Hearings be moved ahead of Item VII. Proposed LUDO Amendments. Commissioner Nelson moved to approve the agenda as modified. Commissioner Stiles seconded the motion; the motion passed unanimously.

ELECTION OF OFFICERS

Director Harris opened the nominations for Chair. Commissioner Stiles nominated Bruce Lavier for Chair; Commissioner Ross seconded the nomination. There were no other nominations for Chair. Bruce Lavier was elected Chair unanimously.

Chair Lavier opened the nominations for Vice Chair. Chair Lavier nominated John Nelson for Vice Chair; Commissioner Poppoff seconded the motion.

Commissioner Stiles nominated Sherry DuFault; she declined the nomination. There were no other nominations.

John Nelson was elected Vice Chair unanimously.

APPROVAL OF MINUTES

Commissioner DuFault moved to approve the minutes of February 15, 2018; Commissioner Nelson seconded the motion. The motion passed, Stiles abstained.

PUBLIC COMMENTS

None.

QUASI-JUDICIAL HEARINGS

Chair Lavier read the rules for a quasi-judicial hearing. He then asked if the Commission had any ex parte contact, conflict of interest or bias which would prevent an impartial decision.

Chair Lavier opened the public hearing at 6:10 p.m.

A. Adjustment 18-033 – Roy W. Haskins – Requesting a 50% reduction of garage/carport entrance setback.

Planner McAllister presented the staff report.

Proponents:

Earl Watson, 2109 E. 14th Street, The Dalles

Watson stated the structure is welcome, it blocks the wind and an obtrusive street light.

Chuck Stanek, 2102 E. 14th Street, The Dalles

Stanek stated Haskins is on the right track.

Roy Haskins, 2101 E. 14th Street, The Dalles

Haskins stated he thought the contractor had everything covered, but he was mistaken. Haskins said there is a slope. Haskins was not equipped to move it himself, so contacted a contractor to move it back. The cost was \$12,000; Haskins said that was out of his price range.

In response to Commission questions, Haskins responded:

- The carport was moved back as far as possible
- The cement was new
- He was aware of water drainage requirements
- It may be possible to shorten the structure, but would be difficult. He would have to cut the gable, cut the siding, and split the sheeting. It would not increase the setback to 20 feet.
- The structure does not present a visibility problem for traffic

Planner McAllister read an email from Bryant Grubb, 2020 E. 14th Street, The Dalles (Exhibit 1). Grubb stated he had no problem with the carport.

Opponents:

Planner McAllister read an email from Fritz Tonn, no address provided (Exhibit 2). Tonn stated he did not want to look at a Winnebago parked in his back yard.

Chair Lavier invited Haskins to respond to the opponent. Haskins stated his RV was too long to fit and was stored elsewhere.

Chair Lavier closed the Public Hearing at 6:36 p.m.

Commission discussion covered the possibility of moving the structure, topography of the site, potential of setting precedent, and conditions of approval. McAllister called attention to additional photographs submitted by the applicant, Exhibit 3.

Commissioner Nelson moved to approve Adjustment 18-033 according to the Commission's interpretation of the findings of fact, and also moved to direct staff to prepare a resolution of

approval with the conditions of approval. Condition No. 1 shall read, "Garage/carport setback shall be reduced by up to 50% to accommodate the pre-existing structure of the carport. Commissioner Poppoff seconded the motion; the motion passed unanimously.

Chair Lavier called for a break at 6:52 p.m. The meeting resumed at 6:58 p.m.

Chair Lavier reopened the Public Hearing at 7:00 p.m.

B. Adjustment 18-034 – Michael Gibney – Requesting approval to allow 73% lot coverage.

Senior Planner Hert presented the staff report. Hert read a letter submitted by Gibney, Exhibit 4.

Commission Proponents:

Michael Gibney, 1428 E. 11th Street, The Dalles

Gibney stated that he and his wife had health considerations which led to their choice of concrete. They were unaware of the restrictions on hard surfaces. Gibney said the front of their lot was too steep; their primary access was from the back side of the lot.

Hert pointed out that permits for concrete are not required.

Opponents: None.

Chair Lavier closed the Public Hearing at 7:36 p.m.

Commission discussion topics included:

- Storm water containment
- Modified Condition of Approval #2 to include, "Approved plans will be required to be implemented."
- Installation of a drain tile
- Street view, majority of concrete is in back

Commissioner DuFault moved to approve Adjustment 18-034 based on findings of fact with conditions of approval as modified. Commissioner Ross seconded the motion; the motion passed unanimously.

Chair Lavier called for a break at 7:48 p.m. The meeting resumed at 7:52 p.m.

DISCUSSION

Proposed LUDO Amendments – Housing Strategies Report Implementation

Matt Hastie, Project Manager, Angelo Planning Group, presented proposed LUDO Amendments recommended in the Housing Needs Analysis, Exhibit 5. The proposed amendments would eliminate ambiguity by providing clear and objective standards in conformance with State law.

Discussion topics included:

- Accessory Dwelling Units (ADU)
- Residential Care Homes and Facilities
- Neighborhood Compatibility Standards
- Expedited Permitting for Affordable Housing

Discussion on Duplexes, Triplexes, and Townhomes was postponed.

STAFF COMMENTS

The next regularly scheduled meeting is April 5, 2018.

COMMISSIONER COMMENTS OR QUESTIONS

None.

ADJOURNMENT

Chair Lavier adjourned the meeting at 9:25 p.m.

Respectfully Submitted
Paula Webb, Planning Secretary



Bruce Lavier, Chair

Garrett McAllister

From: bryant grubb <bcgrubb@yahoo.com>
Sent: Monday, March 12, 2018 8:28 AM
To: Garrett McAllister
Subject: Carport setback

I have no problem with the carport at 2101 E. 14th St. Roy Haskins is a good neighbor taking care of everyone's sidewalk in the neighborhood when snow hits in the winter time.
Please cut him some slack in the city where he has lived his whole life.
Thank you.

Bryant Grubb

2020 E.14th St
The Dalles

Sent from my iPhone

Garrett McAllister

From: Fritz Tonn <fritzt.hq@transgroup.com>
Sent: Monday, March 12, 2018 10:10 AM
To: Garrett McAllister
Subject: Re: ADJ 18-033 Roy W. Haskins
Attachments: [epcot@transgroup.com_20180312_080140.pdf](#)

Fritz Tonn

National Ocean Freight Manager

Office: 206-577-1840
TF: 800-444-0294
Fax: 206-244-7463
Mobile: 206-334-5195

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18850 8th Ave S.
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On Mon, Mar 12, 2018 at 10:05 AM, Fritz Tonn <fritzt.hq@transgroup.com> wrote:
Hello Mr. McAllister. I assume 'reduce carport setback by 50%' means Mr. Haskins wants to build a longer drive way/car port? So he can park an RV?

I for one do not want to look at a Winnebago parked in his backyard (and my backyard). I am directly East of the property.

Please imagine a Winnebago in your kitchen window or backyard vista. What would you think? or your wife?

Please contact me if you wish. Numbers below.

Frederick 'Fritz' Tonn

Office: [206-577-4840](tel:206-577-4840)
TF: [800-444-0294](tel:800-444-0294)
Fax: [206-244-7463](tel:206-244-7463)
Mobile: [206-334-5195](tel:206-334-5195)

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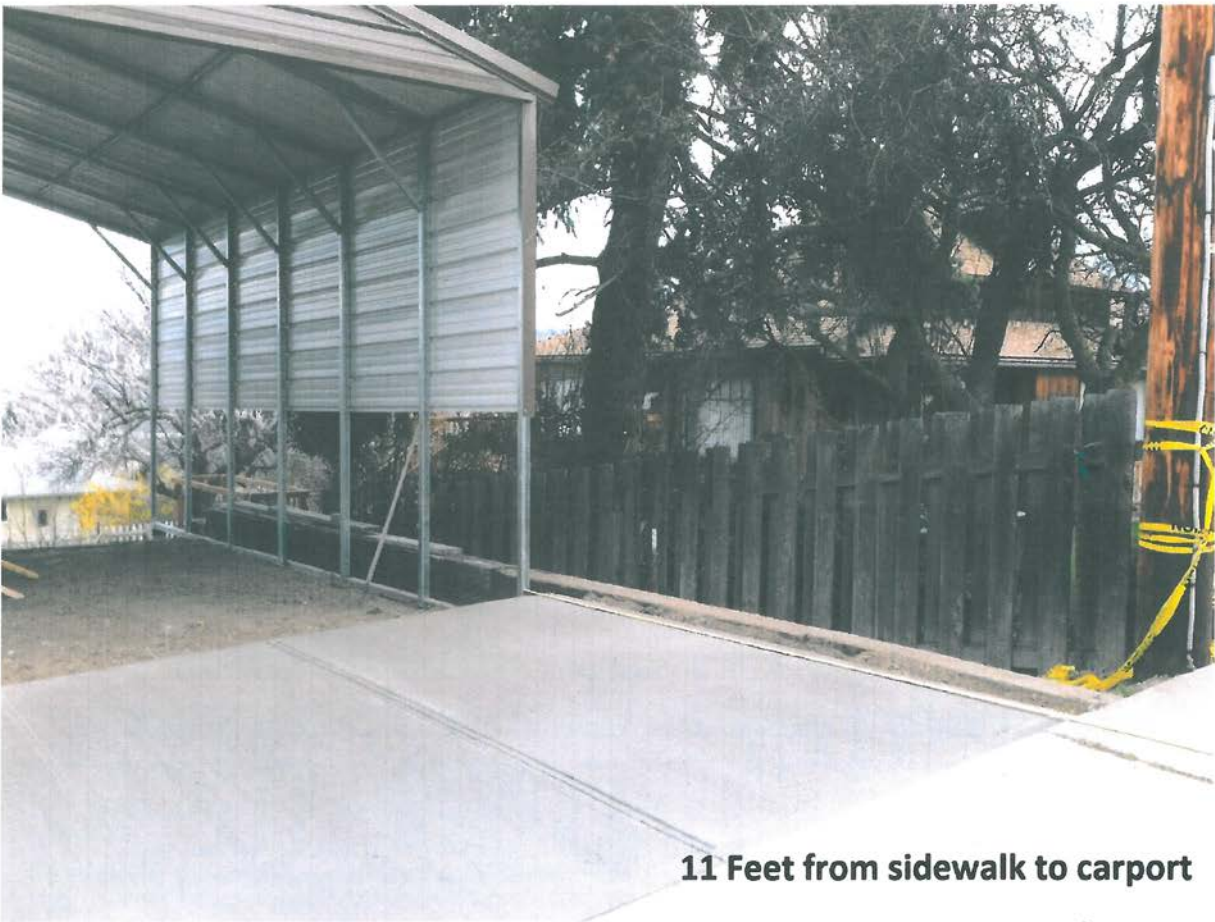


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----- Forwarded message -----

From: epcot@transgroup.com epcot@transgroup.com <epcot@transgroup.com>
Date: Mon, Mar 12, 2018 at 9:01 AM
Subject: Scanned image from EPCOT Sharp
To: fritz.tonn.hq@transgroup.com

DEVICE NAME: EPCOT Sharp



Untitled

Hi, My name is Michael Gibney and my wife is Ton Im Gibney. She answers to Kim her family name.

The primary reason for relocating to The Dalles Oregon from White Salmon Washington was to get closer to medical facilities and grocery stores. The secondary reason was that my wife and myself could no longer take care of the property and home that we lived in. Third, wanted shorter driving distances.

My wife is 80 yrs. old and I am 75 yrs. Old. We both have health problems. Besides old age my wife has a bad leg, could be her back, and has problems with standing and walking for long times. Myself I am on oxygen 24/7 because of CPOD, short for lung disease. CPOD is un-curable it can only be slowed and eventually I will be wheelchaired and than bedridden. I also have heart problems. Two stents have been placed in my heart and I am taking medication to control atrial fibrillation in my heart. I am also a cancer survivor. That was treated with radiations that destroyed a lot of my saliva glands and I have to sip water to keep my mouth from drying out. And I have two herniated discs, that I take pain medication daily for.

Property looking for:

- Close to medical facilities
- Close grocery stores.
- Or close to both medical and grocery facilities
- Clean area - low dust
- Low pollen
- Low maintenance - Low outside up keep
- Enclosed area for small dog
- Wheelchair accessible

Two low maintenance solutions for outside area:

1. Drop cloth and Bark chips

Untitled

Looks good new but in time it changes and just doesn't look
that good

Dusty

My dog track dirt inside

Grows pollen - Weeds and grass

Low maintains will need lawn - ground service to maintain

Trouble keeping water away from one air vent under house

2. Cement

Looks good

Wheelchair accessible

Little dust

My dog stays clean, little dirty tracking into house

Easily cleaned

Air vent problem solved

Very low maintenance



Michael E. Gibney

Ton Im Gibney

1428 E 11th

The Dalles, Or 97058

Housing Needs Analysis Code Amendments (Draft 1)

Planning Commission Work Session
March 15, 2018



LAND USE PLANNING
TRANSPORTATION PLANNING
PROJECT MANAGEMENT



Project Background

- Implementation of Housing Needs Analysis (HNA)
- Ensure compliance with Senate Bill 1051
- HNA identified 11 code amendment strategies (see *Housing Strategies Report*)
- Five strategies selected for implementation with this project



Overview of Proposed Code Amendments

1. **Accessory Dwelling Units:** compliance with SB 1051, LUDO Strategy #6 in HNA.
2. **Duplexes, Triplexes, and Townhomes:** component of LUDO Strategy #3 in HNA.
3. **Residential Care Facilities:** compliance with state and federal fair housing laws, LUDO Strategy #1 in HNA.
4. **Neighborhood Compatibility Standards:** LUDO Strategy #2 in HNA)
5. **Expedited Permitting for Affordable Housing:** compliance with SB 1051, Non-Regulatory Strategy #3 in HNA

APC Housing Needs Analysis Code Amendments (Draft 1)

City of The Dalles

Accessory Dwelling Units

- Purpose: encourage development of ADUs to meet a needed housing type
- Update purpose, applicability, location, size, parking, setback, compatibility
- Comparison to DLCD Model Code (released March 12)
- **Key Discussion Items:**
 - Number of ADUs Permitted
 - Owner Occupancy Requirement
 - Maximum Size
 - Off-Street Parking Requirements

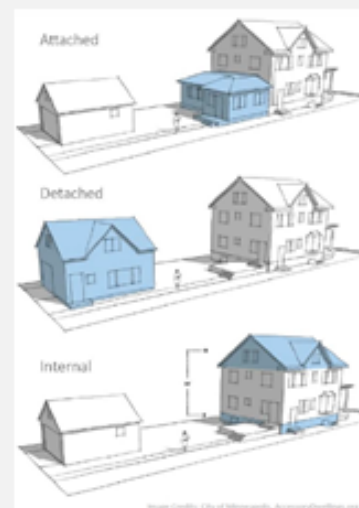


Image Credits: City of Minneapolis, AccessoryDwellings.org

APC Housing Needs Analysis Code Amendments (Draft 1)

City of The Dalles

Duplexes, Triplexes, and Townhomes

- Purpose: where currently permitted, encourage development of these needed housing types on a wider range of lots.
- Reduction in minimum lot sizes
- Exempt triplexes from multi-family landscape standards:
 - Minimum open area (30%)
 - Minimum landscape area (1.5 times floor area)
- **Key Discussion Item:** Off-Street Parking



APC Housing Needs Analysis Code Amendments (Draft 1)

City of The Dalles

Residential Care Homes and Facilities

- ORS 197.665 and 197.667:
 - Residential Care Home (5 or fewer individuals) must be permitted in any residential or commercial zone where single-family dwellings are permitted
 - Residential Care Facilities (5-16 individuals) must be permitted in any zone where multi-family dwellings are permitted.
- LUDO: Residential Care Homes as a permitted accessory use in every zone where single-family dwellings are a permitted use.
- Classification as accessory use could be interpreted as a more restrictive than requirements of single-family dwellings

APC Housing Needs Analysis Code Amendments (Draft 1)

City of The Dalles

Neighborhood Compatibility Standards

- ORS 197.307 requires that cities apply “clear and objective standards” to needed housing types.
- Proposed amendments preserve the intent of the standard, but revise to ensure it is clear and can be administered objectively:
 - Façade Articulation
 - Trim and Details
 - Duplexes, Triplexes, and Townhomes (2 units) must “have appearance of a single house”
 - Townhomes (3-8 units): “may be required to combine roof lines and front porches”

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Expedited Permitting for Affordable Housing

- Purpose:
 - Facilitate affordable housing development by reducing costs of permitting delays.
 - Ensure compliance with 100-day limit defined by SB 1051
- Existing expedited permitting program in place for developments in the Enterprise Zone
- Implemented by ordinance:
 - Qualifying developments (defined by ORS 197.311) processed ahead of all other applications
 - Planning Director to act as “Permit Coordinator”

DLCD ADU Model Code - Comparison to Draft Amendments

City of The Dalles Housing Code Amendments

DLCD has published guidance to help cities meet the requirements of Senate Bill 1051 that will become effective on July 1, 2018. The guidance includes model code language for accessory dwellings. The table below compares the ADU model code to the draft amendments proposed to The Dalles Land Use Ordinance (LUDO).

REGULATION	DLCD ADU MODEL CODE	DRAFT LUDO AMENDMENTS
<i>Number of Units</i>	<ul style="list-style-type: none"> Must allow one ADU wherever single-family is permitted per SB 1051. Consider allowing two ADUs if one is internal/attached and another is detached. 	<ul style="list-style-type: none"> Allow one ADU in RL zone. Allow two ADUs if one is detached and one is internal/attached or one ADU with a duplex in the RM, RH, NC, and CBC zones. Allow one ADU with existing (non-conforming) single-family dwelling in CG or CLI zones.
<i>Siting Standards</i>	<ul style="list-style-type: none"> Apply same or similar standards as applied to other accessory buildings. No minimum lot sizes for ADUs. Reconsider overly restrictive lot coverage limits. Allow any legal non-conforming structure to be converted to an ADU. 	<ul style="list-style-type: none"> ADU not permitted in front setback area. Allow reduction in rear setback for certain situations. No exemptions from base zone lot requirements.
<i>Maximum Floor Area</i>	<ul style="list-style-type: none"> 800-900 square feet or 75% of primary dwelling floor area. Exemption for basement ADUs 	<ul style="list-style-type: none"> 800 square feet or 80% of primary dwelling floor area. 1,000 square feet on large lots. Exemption for basement ADUs.
<i>Design Standards</i>	<ul style="list-style-type: none"> Any design standards should be clear and objective. "Compatibility" requirements are not clear and objective and may not be desirable in some circumstances. 	<ul style="list-style-type: none"> Eliminate existing requirement to be compatible with the primary dwelling.
<i>Parking</i>	<ul style="list-style-type: none"> Do not require additional parking. Consider residential parking district as an alternative to managing supply of on-street parking. 	<ul style="list-style-type: none"> No parking required for one ADU. One space required for two ADUs on one lot.
<i>Owner Occupancy</i>	<ul style="list-style-type: none"> Do not require because it is difficult to enforce and can be a barrier to development. 	<ul style="list-style-type: none"> Retain existing owner-occupancy requirement but discuss potential of removing.
<i>Public Utilities</i>	<ul style="list-style-type: none"> Do not require separate sewer and water connections. 	<ul style="list-style-type: none"> Existing code does not specify that separate connections are required.
<i>System Development Charges (SDCs)</i>	<ul style="list-style-type: none"> Consider reduction for ADUs to match their fiscal impact. 	<ul style="list-style-type: none"> Not in scope of project.

Comment [JK2]: We might consider taking a closer look at maximum lot coverage (60% in most zones). It includes paved surfaces and buildings. Not sure if it will be a barrier.

Comment [JK1]: Do we need to add this provision?